



CITY OF MORGAN HILL

**MORGAN HILL REDEVELOPMENT AGENCY
CITY COUNCIL**

COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

REDEVELOPMENT AGENCY

Dennis Kennedy, Chair
Larry Carr, Vice-Chair
Hedy L. Chang, Agency Member
Steve Tate, Agency Member
Greg Sellers, Agency Member

CITY COUNCIL

Dennis Kennedy, Mayor
Greg Sellers, Mayor Pro Tempore
Hedy L. Chang, Council Member
Steve Tate, , Council Member
Greg Sellers, Council Member

WEDNESDAY, JUNE 27, 2001

JOINT AGENDA

**REDEVELOPMENT AGENCY REGULAR MEETING
&
CITY COUNCIL SPECIAL MEETING**

7:00 P.M.

CALL TO ORDER

(Chairperson/Mayor Kennedy)

ROLL CALL ATTENDANCE

(Agency Secretary/Deputy City Clerk Corbet)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(Agency Secretary/Deputy City Clerk Corbet)

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CERTIFICATE OF RECOGNITION

Oscar Gonzalez

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.
(See notice attached to the end of this agenda.)

PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND PRESENT IT TO THE CITY CLERK.

(See notice attached to the end of this agenda.)

PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE AGENCY SECRETARY/CITY CLERK. THE AGENCY SECRETARY/CITY CLERK WILL FORWARD CORRESPONDENCE TO THE REDEVELOPMENT AGENCY/CITY COUNCIL.

Redevelopment Agency Action

CONSENT CALENDAR: The Consent Calendar, Agenda Items #1 through #3 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate		Page
	Consent Calendar: 1 - 10 Minutes	
1)	<u>MAY 2001 FINANCE AND INVESTMENT REPORT</u> <u>Recommended Action(s):</u> <u>Accept and File</u> Report.	1
2)	<u>ACQUISITION OF PROPERTY BETWEEN MURPHY AND CONDIT, AND SAN PEDRO AND BARRETT (SOCCER COMPLEX)</u> <u>Recommended Action(s):</u> 1. <u>Authorize</u> the Executive Director to Execute a Purchase Agreement and Any Other Related Documents with the owners to Acquire the real Property Located between San Pedro, Barrett and Murphy Avenues, and Condit Road (APN: 817-13-001) for \$7.3 Million plus \$350,000 in Interest, and All Closing and Escrow Costs; and 2. <u>Appropriate</u> \$7,660,000 from the Redevelopment Agency's Fund Balance (Fund 317).	13
3)	<u>AGREEMENT FOR OUTSIDE LEGAL COUNSEL (RICHARDS, WATSON & GERSHON)</u> <u>Recommended Actions(s):</u> <u>Authorize</u> Executive Director to Execute Consultant Agreement for Legal Services in FY2001 - 2002 with Richards, Watson & Gershon in the Amount of \$90,000.	25
<u>OTHER BUSINESS:</u>		
4)	10 minutes <u>LEADERSHIP MORGAN HILL CLASS OF 2001 - DOWNTOWN COMMONS PARK RENOVATION PROJECT</u> <u>Recommended Action(s):</u> <u>Approve</u> the Leadership Morgan Hill Class of 2001's Funding Request of \$2,500 for Its Downtown Commons Park Renovation Project.	35

City Council Action

CONSENT CALENDAR: The Consent Calendar, Agenda Items #5 through #11 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

	Time Estimate	Page
	Consent Calendar: 1 - 10 Minutes	
5)	<u>CONTRACT FOR CONSULTANT PLANNING SERVICES</u> Recommended Action(s): <u>Authorize</u> the City Manager to Execute a Consultant Services Agreement for Contract Planning Services at a Cost Not to Exceed \$26,000.	53
6)	<u>AUTHORIZE THE DONATION OF SURPLUS EMERGENCY EQUIPMENT</u> Recommended Action(s): <u>Authorize</u> the Donation of a Surplus Emergency Vehicle Lighting to be Used by Medical Providers in the City of Couhuila, Sonora, Mexico.	59
7)	<u>PUBLIC WORKS MAINTENANCE CONTRACTS FOR FY 2001-2002</u> Recommended Action(s): <u>Award</u> the Maintenance Contracts for: 1) Emergency Repairs, Maintenance and Parts for Well Sites and 2) Service Repair for Sewer Lift Station Pumps and Storm Station Pumps.	63
8)	<u>APPROVAL OF PROFESSIONAL SERVICES CONTRACT FOR CIVIL ENGINEERING DESIGN OF THE WARREN/HALE/NOB HILL TERRACE STREET IMPROVEMENT PROJECT</u> Recommended Action(s): <u>Authorize</u> the City Manager to Execute a Consultant Services Agreement for Civil Engineering Design of the Warren/Hale/Nob Hill Terrace Street Improvement Project at a Cost Not to Exceed \$25,000 with Hanna & Brunetti, Subject to the Approval by the City Attorney.	85
9)	<u>APPROVAL OF SCOPE OF SERVICES AND AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT FOR GEOGRAPHIC INFORMATION SYSTEM (GIS) NEEDS ANALYSIS</u> Recommended Action(s): 1. <u>Approve</u> the Scope of Services for the GIS Needs Analysis and 2. <u>Authorize</u> the City Manager to Enter into a Professional Services Contract with A.C.T. GIS for Said Services in an Amount Not to Exceed \$30,000. The Authorization is Subject to City Attorney Approval.	89
10)	<u>APPROVAL OF SOLE SOURCE PURCHASE OF WATER METERS</u> Recommended Action(s): 1. <u>Approve</u> Purchase of Water Meters, Meter Parts and MXUs from Invensys Metering Systems (formerly Sensus Technologies) in Accordance with Section 3.04.120.A (4) of the Municipal Code - Brand Names or Equal Specification and Section 3.04.150.C - Sole Source Purchases; and 2. <u>Approve</u> Purchase Order of \$163,000 to Invensys Metering Systems for the Annual Supply of Water Meters, Meter Parts and MXUs.	107
11)	<u>APPROPRIATE FUNDS FROM THE VEHICLE REPLACEMENT FUND FOR HAZARDOUS RESPONSE VEHICLE</u>	109

Recommended Action(s): **Appropriate** \$12,031 from the Equipment Replacement Fund to Complete the Purchase and Installation of Emergency for the Hazardous Response Vehicle.

PUBLIC HEARING:

	Time Estimate		Page
12)	10 minutes	<u>ORDINANCE REGARDING ANIMAL VIOLATIONS AND PENALTIES</u> 111 <u>Recommended Action(s):</u> Request staff presentation. Public Hearing opened. Please limit your remarks to 3 minutes. Public Hearing closed. Council discussion. Action- <u>Motion to Waive</u> the Reading in Full of Animal Ordinance No. 1518, N.S., and; <u>Motion to Introduce</u> Ordinance No. 1518, N.S. by Title Only.	

OTHER BUSINESS:

	Time Estimate		Page
13)	10 minutes	<u>CITY ENERGY POLICIES AND ACTIONS</u> 117 <u>Recommended Action(s):</u> 1. <u>Direct</u> Staff to Identify Opportunities the City has to Generate Energy from Renewable Sources and Report Back to the Council in 90 Days; and 2. <u>Direct</u> Staff to Report to the Planning Commission on Barriers the City's Zoning Ordinance May present to Renewable Energy Generation.	

City Council and Redevelopment Agency Action

CONSENT CALENDAR: The Consent Calendar, Agenda Items #14 through #18 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

	Time Estimate		Page
		Consent Calendar: 1 - 10 Minutes	
14)		<u>APPROVE JOINT SPECIAL CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF JUNE 8, 2001</u> 119	
15)		<u>APPROVE JOINT SPECIAL CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF JUNE 13, 2001</u> 121	
16)		<u>APPROVE JOINT SPECIAL CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF JUNE 13, 2001 (CLOSED SESSIONS)</u> 129	

- 17) **APPROVE JOINT SPECIAL CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF JUNE 15, 2001 (WORKSHOP)** 131
- 18) **APPROVE JOINT SPECIAL CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF JUNE 15, 2001** 133

OPPORTUNITY FOR PUBLIC COMMENT

CLOSED SESSIONS:

1.

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Legal Authority: Government Code 54956.8 & 54956.9(c) (1 potential case)
Real Property(ies) involved: APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of Cochrane Road (St. Louise Hospital property)
City Negotiators: Agency Members; Executive Director; Agency Counsel; and F. Gale Conner, special counsel
Closed Session Topic: Potential Litigation

2.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Authority: Government Code Section 54956.9(a)
Name of Case: City of San Jose v. Morgan Hill Unified School District, City of Morgan Hill
Case Number: Superior Court, County of Santa Clara CV794073

3.

CONFERENCE WITH LEGAL COUNSEL - REAL PROPERTY NEGOTIATOR

Legal Authority: Government Code 54956.8
Real Property Involved: 13.7 Acres; 1320 Diana Avenue (APN 728-17-015)
Negotiating Parties:
 For City/Agency: City Manager/Executive Director; City Attorney/Agency Counsel; Director of Business Assistance & Housing Services
 For Property Owners: Sanchez Apolonio & Yow C. Et. Al
Closed Session Topic: Acquisition of Real Property

4.

CONFERENCE WITH LEGAL COUNSEL - REAL PROPERTY NEGOTIATOR

Legal Authority: Government Code 54956.8
Real Property Involved: 17.58 acre parcels located on the east side of Condit Road, bound by Condit Road, Tennant Avenue, Barrett Avenue and Murphy Avenue (APN 817-13-017)
Negotiating Parties:
 For City/Agency: City Manager/Executive Director; City Attorney/Agency Counsel; Director of Business Assistance & Housing Services
 For Property Owners: Virginia Lomanto Trustee
Closed Session Topic: Acquisition of Real Property

ADJOURN TO CLOSED SESSIONS:

RECONVENE:

CLOSED SESSION ANNOUNCEMENT:

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

This is an Opportunity for Members of the Redevelopment Agency to Request Items for Future Agendas.
Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT